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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 DANIEL P. KLAHN and LAURIE KLAHN,

No. C -12-02743(EDL)

9 Plaintiffs,

**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE AND  
HEARING ON MOTION FOR  
SUMMARY JUDGMENT**

10 v.

11 EQUITY LIFESTYLE PROPERTIES,

12 Defendant.  
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14 Pro se Plaintiffs Daniel and Laurie Klahn filed this complaint on May 29, 2012. Plaintiffs  
15 consented to this Court's jurisdiction and the Court granted Plaintiffs' request to proceed in forma  
16 pauperis on June 18, 2012. A summons issued on July 12, 2012, but Defendant has not consented or  
17 appeared and no proof of service has been filed indicating that Defendant has been served.

18 On August 27, 2012, Plaintiff filed a motion for summary judgment with a hearing date of  
19 October 2, 2012. This motion is premature because Defendant does not appear to have been served  
20 and has not answered or otherwise responded. Therefore, the motion hearing set for October 2 is  
21 vacated, and Plaintiff shall re-notice the motion for a proper date and time once Defendant has been  
22 served, appeared, and relevant discovery – if any – has been completed. Additionally, the case  
23 management conference set for September 4 is continued until October 30 at 10:00 a.m. to allow  
24 time for Defendant to be served, consent or decline this Court's jurisdiction, and respond to the  
25 complaint.

26 IT IS SO ORDERED.

27 Dated: August 29, 2012

*Elizabeth D. Laporte*

ELIZABETH D. LAPORTE  
United States Magistrate Judge